

DETENTION ORDER - Page 2

- _____ The defendant has a prior record of failure to appear at court proceedings.
- (b) At the time of the current arrest, the defendant was on:
- _____ Probation
- _____ Parole
- _____ Release pending trial, sentence, appeal or completion of sentence.
- (c) Other Factors:
- X The defendant is an illegal alien and is subject to deportation.
- _____ The defendant is a legal alien and will be subject to deportation if convicted.
- X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
- _____ Other: _____
- X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The defendant has a significant criminal history to include offenses of violence and drug possession. He has been removed from the United States on at least seven occasions and has used numerous aliases.

D. **Additional Directives**

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 4, 2005.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge